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*Attorney for the Plaintiff, proposed FLSA Collective and
potential Rule 23 Class*

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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LIYOU XING,
*on their own behalf and on behalf of others similarly
situated, and*

Plaintiffs,
v.

Case No. 18-cv-06616

MAYFLOWER INTERNATIONAL HOTEL GROUP
INC

d/b/a Mayflower Hotel and
d/b/a Wyndham Garden;

MAYFLOWER BUSINESS GROUP, LLC

d/b/a Mayflower Hotel and
d/b/a Wyndham Garden;

MAYFLOWER INN CORPORATION

d/b/a Mayflower Hotel and
d/b/a Wyndham Garden;

MAYFLOWER WENYU LLC

d/b/a Mayflower Hotel and
d/b/a Wyndham Garden;

YAN ZHI HOTEL MANAGEMENT INC.

d/b/a Mayflower Hotel and
d/b/a Wyndham Garden;

MAYFLOWER 1-1 LLC

d/b/a Mayflower Hotel and
d/b/a Wyndham Garden;

YUEHUA HU,

WEI HONG HU a/k/a Weihong Hu, and

XIAOZHUANG GE

Defendants.

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29 U.S.C. § 216(b)
COLLECTIVE ACTION &
FED. R. CIV. P. 23 CLASS
ACTION

**AFFIDAVIT OF JUNHUI YAN
IN SUPPORT OF
PLAINTIFF'S MOTION FOR
CONDITIONAL
COLLECTIVE
CERTIFICATION**

I, JUNHUI YAN, being duly sworn and under penalty of perjury, deposes and states as follows:

1. I am a resident of Queens, New York, and I am over 18 years of age.

2. I have personal knowledge of the matters stated below.
3. From on or about August 24, 2016 to August 20, 2018, I worked as a Mechanic and manager assistant employed by Defendants to work at the Mayflower Hotel at 61-27 186th Street, Fresh Meadows, NY 11365.
4. From on or about August 01, 2017 to August 20, 2017, I was dispatched as a Mechanic and manager assistant of house department employed by Defendants to work at the Mayflower Hotel at the Howard Johnson Hotel at 38-59 12th Street, Long Island City, NY 11101.
5. From on or about August 24, 2016 to August 20, 2018, my regular work schedule ran from 09:00 to 18:00 with one (1) hour meal break for eight (8) hours a day Mondays through Fridays for five (5) days a week. For a totally 40 hours each week.
6. Four weeks during my employment, in addition to my regular work schedule, I also had to work 8 hours per day on Saturdays. On those four weeks, I worked 48 hours.
7. From on or about August 24, 2016 to December 31, 2016, I was paid a flat compensation at a rate of twelve dollars (\$12.00) per hour.
8. From on or about January 01, 2017 to August 20, 2018, I was paid a flat compensation at a rate of fifteen dollars (\$15.00) per hour.
9. However, I was not paid for all hours worked at all relevant times.
10. At all relevant times, I was not paid overtime pay for overtime work.
11. At all relevant times, I was never informed of his hourly pay rate.
12. Throughout my employment, I was not given a statement with his weekly payment reflecting employee's name, employer's name, employer's address and telephone number, employee's rate or rates of pay, any deductions made from employee's

wages, any allowances claimed as part of the minimum wage, and the employee's gross and net wages for each pay day in Chinese, my native language.

13. Throughout my employment, I was not compensated at least at one-and-one-half his promised hourly wage for all hours worked above forty (40) in each workweek.

14. Throughout my employment, I was not compensated for New York's "spread of hours" premium for shifts that lasted longer than ten (10) hours at his promised rate.

15. I know that it is Defendants' policy to not pay any employee at time and a half rate for all of their overtime hours. I know this because I have talked with other employees, who has the same or similar working schedule as me, and was told that they were also not paid for the total amount of time they have worked, nor compensated for all of their overtime hours worked.

16. During my employment I befriended some of the co-workers who worked for Defendant suffered same practice and policy.

17. I know a co-worker who worked as engineer at and the Wyndham Garden Hotel at 61-27 186th Street, Fresh Meadows, NY 11365 named Chao Chen.

18. Chao Chen is about thirty years old and around 1.90 meters' height. He told me he came from Hebei Province, China.

19. Chao Chen started working for the Defendants from on and about 2015, terminated on or about April or May, 2018.

20. During his employment, Chao Chen's working schedule ran from 9:00 to 18:00 with one-hour break from 12:00-13:00 for 5 days a week. Besides that, he need to work overtime for two hours per day. Throughout his employment with the Defendants he worked around 50 hours a week.

21. I know Chao Chen's schedule because we worked together every day during his employment.

22. I know Chao Chen was paid at the rate of \$22 per hour.

23. I know this because Chao Chen told me that while we working together.

24. I know another co-worker who worked as engineer at and the Wyndham Garden Hotel at 61-27 186th Street, Fresh Meadows, NY 11365 named Wei Lin.

25. Wei Lin is twenty-eight or twenty-nine years old and around 1.73 meters' height. He told me he came from Fuzhou Fujian Province, China.
26. Wei Lin started working for the Defendants from on and about 2015, terminated on or about February or March, 2018.
27. During his employment, Wei Lin's working schedule ran from 9:00 to 18:00 with one-hour break from 12:00-13:00 for 5 days a week. Besides that, he need to work overtime for two hours per day. Throughout his employment with the Defendants he worked around 50 hours a week.
28. I know Wei Lin's schedule because we worked together every day during his employment.
29. I know Wei Lin was paid at the rate of \$35 per hour.
30. I know this because Wei Lin told me that while we working together.
31. I know another co-worker who worked as house keeper at the Howard Johnson Hotel at 38-59 12th Street, Long Island City, NY 11101 named Zheng Su.
32. Zheng Su is around fifty years old and around 1.55 meters' height. She told me he came from Fuzhou Fujian Province, China.
33. As I know, Zheng Su worked for the Defendants from on and about August 01, 2017 to August 20, 2017.
34. During her employment, Zheng Su's working schedule ran from 9:00 to 18:00 with one-hour break from 12:00-13:00 for 5 days a week. Throughout her employment with the Defendants she worked around 40 hours a week.
35. I know Zheng Su schedule because we worked together every day during her employment.
36. I know Zheng Su was paid at the rate of \$13.5 per hour.
37. I know this because Zheng Su told me that she wants her wage be raised in August, 2017.
38. I know another co-worker who worked as cleaner at the Howard Johnson Hotel at 38-59 12th Street, Long Island City, NY 11101 and the Wyndham Garden Hotel at 61-27 186th Street, Fresh Meadows, NY 11365. His last name is Zhou, we also referred him as "Xiao Zhou"
39. Xiao Zhou is around fifty years old and around 1.58 meters' height. He told me he came from Shanxi Province, China.

40. As I know, Xiao Zhou started worked for the Defendants at the Howard Johnson Hotel at 38-59 12th Street, Long Island City, NY 11101 from on and about February, 2016 to July, 2016.
41. He was dispatched to work at the Wyndham Garden Hotel at 61-27 186th Street, Fresh Meadows, NY 11365 from on and about August, 2016. He quitted the job in February or March, 2017.
42. During her employment, Xiao Zhou's working schedule ran from 9:00 to 18:00 with one-hour break from 12:00-13:00 for 5 days a week. Throughout her employment with the Defendants she worked around 40 hours a week.
43. I know Xiao Zhou schedule because we worked together every day during her employment.
44. I know Xiao Zhou was paid at the rate of \$12 per hour.
45. I know this because Xiao Zhou told me that he wants her wage be raised in December 2016.
46. I sincerely believe there are other employees who are also other employees paid less and are not paid for all the hours they worked for the Defendants.
47. I sincerely hope that this Court allows me to represent the interest of my co-workers in this action. These Defendants exploited me and my co-workers, and it is my hope that we will be permitted to recover wages that we are owed.
48. This has been translated into my native language of Chinese and I understand the contents.

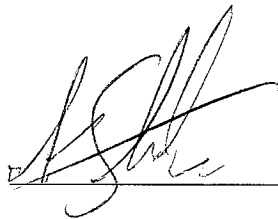
Dated: 03/16/2019

Flushing, NY



Yan, Jun Hui

Sworn to me this 16 day of March, 20 19



Notary Public

AARON B. SCHWEITZER
Notary Public, State of New York
No. 02SC6380865
Qualified in Nassau County
Commission Expires Sept. 17, 2022